

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPA) NO.50 OF 2025
IN
CRIMINAL APPEAL NO.130 OF 2024

(Ashok Wasudeo Dandekar Vs. The State of Maharashtra thr. PSO PS Darwha, Tah.
Darwha, Dist. Yavatmal)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Amol v. Chirde, Advocate for Appellant.
Mr. N. B. Jawade, APP for Respondent/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 26th MARCH, 2025.

1. By preferring this application, the appellant is seeking suspension of sentence and releasing him on bail.

2. The appellant was prosecuted for the offence punishable under Section 354, 354-A of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012. The Special Court held him guilty and sentenced to suffer rigorous imprisonment of 3 years and pay fine of Rs.500/- in default to suffer further rigorous imprisonment for 15 days.

3. Heard learned counsel for the appellant, who submitted that punishment imposed is a limited period. The appellant has every chance of success in the appeal and pointed out from the impugned judgment that he has many arguable points but the appeal would take its own time for its final disposal. In the meantime, if sentence is executed,

the appeal would become infructuous.

4. The learned APP strongly opposed the same on the ground that appeal itself is devoid of merit and therefore, application liable to be rejected.

5. After hearing both sides and on perusal of the evidence, it reveals that punishment imposed is of a limited period. The appeal would take its own time. Moreover, the appellant has also pointed out that he has many arguable points in the present appeal. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

(i) The application is allowed.

(ii) The execution of the sentence passed in Special Case No.21/2020 is hereby suspended till disposal of the appeal.

(iii) The appellant shall be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

6. The Criminal Application (APPA) No.50/2025 is disposed of.

CRIMINAL APPEAL NO.130 OF 2024:

1. **Admit.**

2. Call for record and proceedings.

3. Appeal be listed after preparation of the paper-book for final disposal.

(URMILA JOSHI-PHALKE, J.)